

**Oyster River Cooperative School District  
REGULAR MEETING**

**January 4, 2023****ORMS – Recital Hall****7:00 PM**

- o. CALL TO ORDER 7:00 PM**
- I. 6:30 PM MANIFEST REVIEW/APPROVAL AT EACH SCHOOL BOARD MEETING**
- II. APPROVAL OF AGENDA**
- III. PUBLIC COMMENTS (*Total allotted time for public comment is 30 minutes*)**
- IV. APPROVAL OF MINUTES**
- Motion to approve 12/21/22 Regular Meeting Minutes.
- V. ANNOUNCEMENTS, COMMENDATIONS AND COMMENTS**
- A. District**
- B. Board**
- VI. DISTRICT REPORTS**
- A. Assistant Superintendent/Curriculum & Instruction Report(s)**
- B Superintendent’s Report**
- C. Business Administrator**
- D. Student Representative (Paige Burt)**
- E. Finance Committee Report**
- F. Other:**
- VII. UNANIMOUS CONSENT AGENDA *{Requires unanimous approval. Individual items may be removed by any Board Member for separate discussion and vote}***
- List of Policies for Second Read/Adoption: IHBA – Programs for Pupils with Disabilities, IHBAC – Developmental Delays as Qualifying Disability, IKFC – Alternative Diploma for Students with Significant Cognitive Disabilities, JICK – Bullying and Cyberbullying – Pupil Safety and Violence Prevention and Policies for Deletion: IHBA – Programs for Pupils with Disabilities {Current Version} and ACE – Non-Discrimination on the Basis of Handicap/Disability {Current Version} . ***Motion to approve the List of Policies for Second Read/Adoption: IHBA – Programs for Pupils with Disabilities, IHBAC – Developmental Delays as Qualifying Disability, IKFC – Alternative Diploma for Students with Significant Cognitive Disabilities, JICK – Bullying and Cyberbullying-Pupil Safety and Violence Prevention and Policies for Deletion: IHBA – Programs for Pupils with Disabilities {Current Version} and ACE – Non-Discrimination on the Basis of Handicap/Disability {Current Version}***
- VIII. DISCUSSION & ACTION ITEMS**
- 2023 Warrant Article. ***Motion to Approve the 2023 Warrant Article.***
  - FY24 Default Budget. ***Motion to Approve the FY24 Default Budget.***
  - Assign Presentation of Warrant Articles
  - Public Hearing Discussion.
  - Superintendent Self Evaluation.
  - Choose Superintendent Search Committee Outside Vendor and appoint Catherine Plourde as the District Liaison to the Board Search Committee. ***Motion to choose outside vendor for Superintendent Search and appoint Catherine Plourde as the District Liaison to the Board Search Committee.***
- IX. SCHOOL BOARD COMMITTEE UPDATES**
- X. PUBLIC COMMENTS (*Total allotted time for public comment is 30 minutes*)**
- XI. CLOSING ACTIONS**
- A. Future meeting dates:** January 9, 2023 – Superintendent Durham TC Budget Update @ 7:00 PM  
January 11, 2023 – Public Budget Hearing – ORMS Recital Hall @ 7:00 PM  
January 13, 2023 – Superintendent Madbury Selectman Budget Update @ 9:00 AM  
January 18, 2023 – Regular Meeting – ORMS Recital Hall @ 7:00 PM  
January 23, 2023 – Superintendent Lee Selectman Budget Update @ 6:00 PM
- XII. NON-PUBLIC SESSION: RSA 91-A:3 II (c)**
- Superintendent Evaluation
- NON-MEETING SESSION: RSA 91-A2 I {If Needed}**
- XIII. ADJOURNMENT:**

**The School Board reserves the right to take action on any item on the agenda.**

**Respectfully submitted,**

**Superintendent**

**Oyster River Cooperative School District  
SAU #5**

Welcome to the School Board meeting. If you wish to be heard by the Board, please note “Public Comment” at the beginning of the agenda (reverse side). During the comment section of the agenda each speaker may have up to three (3) minutes within the time frame allowed. Board Chair may limit time allotment as deemed necessary. Occasionally, the Board may “suspend its rules” to allow visitor participation at the time an issue of specific interest is being addressed. A speaker will not be recognized for a second time on a particular topic.

Visitors should not expect a Board response to their comments or questions under the above since the Board may not have discussed or taken a position on the matter. The Superintendent, without speaking for the Board, may offer clarification as appropriate.

Agendas and background information are available on the district website prior to meetings. Agendas and additional information are generally available at the entrance to the meeting room or distributed at the time the item is introduced for discussion.

The ORCSD School Board will meet in regular session on the first and third Wednesdays of the month with additional meetings when necessary. The School Board appreciates your attendance at these meetings and invites your continued interest in its work on behalf of the children and residents of the District.

**Oyster River Cooperative School District Members:**

- |                           |                            |
|---------------------------|----------------------------|
| • Michael Williams, Chair | Term on Board: 2020 - 2023 |
| • Denise Day, Vice-Chair  | Term on Board: 2020 - 2023 |
| • Brian Cisneros          | Term on Board: 2021 –2024  |
| • Daniel Klein            | Term on Board: 2021 - 2024 |
| • Yusi Turell             | Term on Board: 2021 - 2024 |
| • Matthew Bacon           | Term on Board: 2022 - 2025 |
| • Heather Smith           | Term on Board: 2022 - 2025 |

**Information Regarding Nonpublic Session**

On occasion, the Board agenda may include (or be adjusted to include) a Nonpublic Session. When a motion is made to do so, it will be done under the provisions of the NH State Law RSA 91-A:3 II, and one or more of the following reasons will be claimed for entering Nonpublic Session:

- The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request will be granted.
- The hiring of any person as a public employee.
- Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting.
- Consideration of the acquisition, sale or lease of real property or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.
- Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency of any sub-division thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled.

## Oyster River Cooperative School Board

### Regular Meeting Minutes

December 21, 2022

DRAFT

**SCHOOL BOARD PRESENT:** Michael Williams, Denise Day, Brian Cisneros, Dan Klein, Yusi Turell, Heather Smith, Matt Bacon

**STUDENT REPRESENTATIVE:** Paige Burt

**ADMINISTRATORS PRESENT:** Dr. Morse, Suzanne Filippone, Catherine Plourde, Sue Caswell, Rebecca Noe, Josh Olstad

**STAFF PRESENT:** Rachael Blansett, Gen Brown,

**GUEST PRESENT:**

**ABSENT:**

**0. CALLED TO ORDER at 7:00 PM by Michael Williams**

**I. 5:30pm Manifest Review/Approval at Each School Board Meeting**

**Ia. PUBLIC HEARING for Policies:**

- **BBA-School Board Member Authority Revision & Policy BDB – Board Officers for Deletion**

Denise Day presented policy changes and clarifications.

**Brian Cisneros made a motion to open the public hearing, 2<sup>nd</sup> by Matt Bacon. Motion passed 7-0 with the student representative voting in the affirmative.**

There were no public comments.

**Denise Day made a motion to close the public hearing, 2<sup>nd</sup> by Brian Cisneros. Motion passed 7-0 with the student representative voting in the affirmative.**

**II. APPROVAL OF AGENDA**

Chair Michael Williams added Yusi Turell to the Discussion & Action Items.

**Michael Williams moved to approve the agenda as amended, 2<sup>nd</sup> by Denise Day. Motion passed 7-0 with the student representative voting in the affirmative.**

**III. PUBLIC COMMENTS – None provided**

**IV. APPROVAL OF MINUTES**

**Brian Cisneros moved to approve the November 17<sup>th</sup>, 2022 Budget Workshop Notes, 2<sup>nd</sup> by Matt Bacon. Motion passed 7-0 with the student representative voting in the affirmative.**

**Brian Cisneros moved to approve the December 7<sup>th</sup>, 2022 Regular Meeting Minutes, 2<sup>nd</sup> by Matt Bacon. Motion passed 7-0 with the student representative voting in the affirmative.**

**V. ANNOUNCEMENTS, COMMENDATIONS AND COMMENTS**

**A. District**

Rebecca Noe of ORHS spoke about her recent participation in Celeste Best's Forensics class. In a hands-on simulation she served as a suspect in the murder case of "Dead Fred" in which students learned all about crime scenes and fingerprinting. The Program of Studies for fall course selection will be available early to end of January. Rebecca thanked the board on behalf of the school for making Friday a half day.

**B. Board**

Michael Williams attended Moharimet's 4<sup>th</sup> grade concert and last night's ORHS band & chorus and they both were outstanding.

**VI. DISTRICT REPORTS****A. Assistant Superintendent/Curriculum & Instruction Report(s)**DEIJ Semester in Review – Rachael Blansett

DEIJ Coordinator Rachael Blansett made a presentation to the board that summarized her first semester of work in the district. Her goals have largely focused around getting to know the schools and the community at large, as well as identifying needs in the district to guide professional development plans. Rachael plays a key role in the DEIJ Committee and has attended the high school JEDI group as a resource and mentor. She has also met with middle and high school advisories, attended Mast Way's all-school assembly and Open Circle, read to kindergartners, and visited the high school writing club. Rachael has spent a great deal of time working with faculty, in fact she has met with over twenty teachers to serve as a thought partner to address difficult situations and answer curriculum questions. She has attended several classrooms and even facilitated lessons in various English classes. Regarding her community outreach, Rachael has met with numerous groups such as statewide DEIJ Directors, New Hampshire Listens, and Seacoast Outright, and presented at the New Hampshire School Administrator Association. Within the school community Rachael has established relationships with school professional learning communities, principals, and counselors, as well as local community members and parents.

A big component of Rachael's work has been centered around creating and delivering a needs assessment. She has used the data to identify topics most useful to the district's curriculum & instruction, educator leadership, learning environment, and models of professional development. Over 150 teachers completed the survey and race, disability, and gender were the three highest ranked topics of interest. Results also showed that regarding curriculum and instruction, teachers would find value in strategies to hold meaningful conversations, face conflict, and confront prejudice. In terms of educational leadership, teachers overwhelmingly favored practices that would build relationships and address bias, and in the learning environment a focus on gender and socioeconomic inclusivity was of importance. Teachers voiced the need for having age and classroom appropriate resources; diversifying the curriculum to be more representative of various identities, backgrounds, and cultures; talking about topics of race, gender, disability, and class in legal, inclusive, and developmentally appropriate ways, and having more interdisciplinary time to discuss topics across grades and classrooms. Themes that surfaced in the school buildings include having more diversity in music and books at the elementary level, supporting gender identity at the middle school, and talking about race and racism at the high school. Part II of Rachel's presentation will take place on January 18<sup>th</sup>, and it will include a draft of the professional development plan.

Dr. Morse shared his gratitude for Rachael's presence not only in the district but also in the state. It wasn't a role he anticipated, and he appreciates the added value.

**B. Superintendent's Report**

Dr. Morse congratulated Student Rep. Paige Burt for her early acceptance to NYU.

He recognized Mast Way's Digital Learning Specialist Susan Leifer for being selected as a 2022 New Hampshire State Finalist for the Presidential Award for Excellence in Mathematics & Science Teaching.

The high school was commended by Dr. Morse and Laurie Grant, PEP program Director, for its involvement in making the 3 & 4 year-olds feel included and special in the building.

Dr. Morse spoke highly of the recent Robotics State Competition that was hosted by ORMS. He thanked the high school students that volunteered at the event.

All the building's recent winter concerts were attended by Dr. Morse to which he remarked the performances were off the charts. He credited the music staff for all their hard work.

The district has received a \$15k grant from the state. Dr. Morse said the funding will first allow Moharimet to receive the software program Mutualink, which will provide a more instant and sophisticated access to emergency response. Buildings in Lee and Durham have similar access through similar software, and over the summer they will be upgraded to Mutualink as well.

#### Communication/Website Update – Josh Olstad/Gen Brown

Communication Specialist Gen Brown and IT Director Josh Olstad made a website update presentation to the board. The digital overhaul has been a collaborative effort from digital learning specialists, Amy Sterndale, leadership, and the community who provided feedback in a 2021 survey. After reviewing the survey results and comments, Gen identified the biggest “pain points” as the following: confusing organization and layout, unable to search for information and PDF's, and missing content such as a calendar, news, sports, and after school activities. Four service providers were reviewed by Gen and Josh, and they rated their features and functionalities against one another to select a provider that would best serve the district's needs. Campus Suite was favored to be the best solution for the largest number of current issues. It offers many usable features, such as a centralized and customizable calendar, enhanced search features, a clean and personable layout, while also being a cost-effective option. To view a demo of another school's website using Campus Suite visit [www.d64.org](http://www.d64.org).

Amy and Josh provided a timeline entailing the months of production work that will be necessary for a full launch on June 19<sup>th</sup>, 2023. Gen spoke about the scope of responsibilities essential to creating and maintaining the new website. While there will be areas of overlapping support from digital learning specialists, webpage editors and the IT Director, the Communication Specialist will be the website owner required to create, edit, upload, and publish content. Identifying roles and responsibilities will better ensure the right channels have time to provide technical assistance, support, and security for the district.

Board members voiced their excitement to see the product and thanked Gen, Josh, and everyone involved with the progress that has been made so far. The next website update will be available at the February 1<sup>st</sup> school board meeting.

**C. Business Administrator** - Update was later provided during Discussion & Action Items

#### **D. Student Representative Report**

Paige Burt performed in the recent band and chorus concert and let the board know that it was a great experience being surrounded by the audience in the recital hall. All winter sports are under way and a Basketball Holiday Tournament will start Dec. 26<sup>th</sup>. The advisory food drive collection was very successful, and the Junior class ran a candy cane fundraiser for the school. Paige invited the community to the “Paint and Pizza” fundraiser on January 12<sup>th</sup> from 6-8 pm in the high school cafeteria. Art teacher Mari Rosi will provide a painting lesson and the \$30 participation cost will support the Senior class.

**E. Finance Committee Report** – None provided

**F. Other** – None provided

#### **VII. UNANIMOUS CONSENT AGENDA – Michael Williams asked if any items needed to be discussed separately and the board had no concerns.**

- List of Policies for Second Read/Adoption and Deletion: B.1 – Acknowledge School Board Candidates for Office, ICA – School Calendar, BBAA – School Board Member Authority, BBAB – Roles and Duties of the School Board Chairperson {Selection & Duties of Officers} and Policy for Deletion: BDB – Board Officers.
- 2023-24 School Calendar for Second Read/Adoption.

**Michael Williams made a motion to approve the Unanimous Consent Agenda, 2<sup>nd</sup> by Brian Cisneros. Motion passed 7-0 with student representative voting in the affirmative.**

**VIII. DISCUSSION & ACTION ITEMS**

Review FY24 Default Budget for Public Hearing

Sue Caswell presented the FY24 Default Budget as it stands and asked for any questions or comments from the board. At the next meeting it will be finalized with board signatures.

Review 2023 Warrant Article for Public Hearing - No new update

List of Policies for First Read: IHBA – Programs for Pupils with Disabilities, IHBAC – Developmental Delays as Qualifying Disabilities, IKFC – Alternative Diploma for Students with Significant Cognitive Disabilities, JICK – Bullying and Cyberbullying – Pupil Safety and Violence Prevention and Deletion of Current Policy IHBA – Programs for Pupils with Disabilities and ACE – Non-Discrimination on the Basis of Handicap/Disability

Denise Day summarized policies for first read and deletion. She clarified changes and informed the board members that the policies have been vetted by legal counsel and Catherine Plourde.

**Denise Day made a motion to approve List of Policies for First Read: IHBA – Programs for Pupils with Disabilities, IHBAC – Developmental Delays as Qualifying Disabilities, IKFC – Alternative Diploma for Students with Significant Cognitive Disabilities, JICK – Bullying and Cyberbullying – Pupil Safety and Violence Prevention and Deletion of Current Policy IHBA – Programs for Pupils with Disabilities and ACE – Non-Discrimination on the Basis of Handicap/Disability, 2<sup>nd</sup> by Heather Smith. Motion passed 7-0 with the student representative voting in the affirmative.**

Board member Yusi Turell read a letter of resignation effective March 3rd. (Letter is available below the meeting minutes.) She encouraged the audience to identify and recruit residents that would be strong candidates for the seat.

**Brian Cisneros made a motion to approve Yusi Turell’s resignation effective March 3rd, 2<sup>nd</sup> by Matt Bacon.**

Denise Day thanked Yusi for her service and stated that she’s learned a lot from her.

Matt Bacon thanked Yusi for her hard work and support to the community, as well as her mentoring role.

**Motion passed 6-0-1. Yusi Turell abstained.**

**IX. SCHOOL BOARD COMMITTEE UPDATES**

Heather Smith provided updates from the Sustainability Committee including student attendance at a Youth Leadership Conference, a goal of purchasing compost bins for elementary classrooms and middle school team spaces, and the year’s first Community Dinner which will take place Feb. 2<sup>nd</sup> at 5pm. Details for the dinner are still being worked out but they hope to invite local farmers and have club members talk about reducing waste.

The next meeting will be held on Jan. 17<sup>th</sup>, 2023.

**X. PUBLIC COMMENTS - None provided**

**XI. CLOSING ACTIONS**

- A. Future Meeting Dates:**     January 4, 2023 – Regular Meeting – ORMS Recital Hall @ 7:00 PM  
  January 11, 2023 – Public Budget Hearing – ORMS Recital Hall @ 7:00 PM  
  January 18, 2023 – Regular Meeting – ORMS Recital Hall @ 7:00 PM

**XII. NON-PUBLIC SESSION:** RSA 91-A:3 II {If Needed}  
**NON-MEETING SESSION:** RSA 91-A2 I {If Needed}

**XIII. ADJOURNMENT:**

**The School Board reserves the right to take action on any item on the agenda.**

December 21, 2022

Draft

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**Heather Smith made a motion to adjourn the meeting at 8:41 pm, 2<sup>nd</sup> by Brian Cisneros. Motion passed 7-0 with the student representative voting in the affirmative.**

Respectfully Submitted,  
Karyn Laird, Records Keeper

December 21, 2023

Dear Dr. Morse and members of the ORCSD School Board,

As of today, I resign my seat effective March 3<sup>rd</sup>, 2023 – with the intention that I will continue to serve through March 3<sup>rd</sup> and that community members will select the next Durham representative in the March 7<sup>th</sup> municipal election. This long advance notice helps avoid the time-consuming process of selecting an interim member (or the prospect of an empty seat), while also enabling my seat to be added to the municipal ballot and candidates to come forward in January.

I joined off-cycle in October 2020 and will be leaving off-cycle after 2.5 years. During this challenging period for the Oyster River community, we were able to get students back to school, prioritizing their mental health while managing physical risk using our COVID dashboard. We invested in DEIJ and communications capacity and held events to celebrate and bridge the many facets of diversity in our community.

Along the way, I am grateful to have had the opportunity to work with and learn from each of you, as well as Tom Newkirk, Al Howland, and all the incredible staff, students, and parents I had the honor to work alongside. On a personal note, I am eager to restart my PhD dissertation, which has been on hold since COVID began.

With Bobcat pride,

Yusi Turell



Policies for  
 First/Second Read/Adoption/Deletion  
**SB Meeting of**  
**January 4, 2023 – Second Read/Adoption – Unanimous Consent**

Title	Code
<b>Policies for First Read</b>	
<b>Policies for Second Read/Adoption – Unanimous Consent</b>	
Programs for Pupils with Disabilities	IHBA
Developmental Delays as Qualifying Disabilities	IHBAC
Alternative Diploma for Students with Significant Cognitive Disabilities	IKFC
Bullying & Cyberbullying – Pupil Safety and Violence Prevention	JICK
<b>Policies for Deletion/Replacement</b>	
Programs for Pupils with Disabilities	IHBA - Current
Non-Discrimination on the Basis of Handicap/Disability	ACE - Current
<b>Policies in Process</b>	
Policy Development System/Policy Adoption/Policy Review and Evaluation	BGA/BGB/BGC
Discipline Policies to be reviewed	JIDD

**NHSBA VERSION - Policy IHBA**

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: IHBA
Policy Committee Review to replace current: 12/8/22 School Board First Read: December 21, 2022 School Board Second Read/Adoption: January 4, 2023	Page 1 of 1 Recommended

**PROGRAMS FOR PUPILS WITH DISABILITIES**

The Oyster River Cooperative School District shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the district, required under the Individuals With Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, and New Hampshire Law.

It is the intent of the district to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the district shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in federal and state statutes which govern special education. For those students who are not eligible for services under IDEA, but, because of a qualifying disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need educational or related services (i.e. accommodations), the district shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, educational safeguards, and educational placement.

The district recognizes its obligation to provide an education for all students determined to be educationally disabled and in need of special education and related services. This obligation shall begin when a student reaches three years of age and shall continue until the student's 22<sup>nd</sup> birthday or until such time as they receive a high school diploma, whichever occurs first, or until the child's Individualized Education Program (IEP) Team determines that the child no longer requires special education in accordance with federal and state law.

**Legal References:**

20 U.S.C. § 1400 et seq., Individuals with Disabilities Education Act

34 C.F.R. § 300 et seq., Assistance to the States for the Education of Children with Disabilities

RSA 186-C, Special Education

N.H. Code of Administrative Rules, Section Ed. 1100, Standards for the Education of Students With Disabilities

## NHSBA VERSION – POLICY IHBAC

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: IHBAC
Policy Committee Review: December 8, 2022 School Board First Read: December 21, 2022 School Board Second Read/Adoption: January 4, 2023	Page 1 of 1 Category: Optional

### DEVELOPMENTAL DELAY AS QUALIFYING DISABILITY

Pursuant to 20 U.S.C. 1401(3)(B), the Oyster River Cooperative School District adopts “developmental delay” as one of the disabilities that may qualify a child as disabled under the federal Individuals with Disabilities Education Act (IDEA) and New Hampshire’s special education statute.

In order to qualify for special education based on developmental delay, the student must:

1. Be at least 3 years of age and less than 10 years of age;
2. Be experiencing delays in one or more of the following areas:
  - a. Physical development;
  - b. Cognitive development;
  - c. Communication development;
  - d. Social or emotional development; or
  - e. Adaptive development.
3. If conditions in #1 and #2 are met by reason thereof, need special education and related services, as measured by appropriate diagnostic instruments and procedures consistent with State and federal laws and regulations.

#### Legal References:

20 U.S.C. 1401(3)(B) – Child with a Disability, Child Aged 3 through 9

RSA 186-C:2, I and I-a – definitions of “child with a disability, and “developmentally delayed” respectively

N.H. Dept. of Ed. Admin. Rule – Ed. 1102.01(s),

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: IKFC
Revised Draft to Policy Committee: November 7, 2018 School Board First Read: November 14, 2018 School Board Second Read/Adoption: December 5, 2018 <a href="#">Policy Committee Review: December 8, 2022</a> <a href="#">School Board First Read: December 21, 2022</a> <a href="#">School Board Second Read/Adoption: January 4, 2023</a>	Page 1 of 2 Category: Recommended

## ALTERNATE DIPLOMA FOR STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES

### Certificate of Completion

**A. PURPOSE.** The purpose of this policy is to meet the requirements of the federal Every Student Succeeds Act ("ESSA") to establish and allow the awarding of a District Alternate Diploma to certain students with the most significant cognitive disabilities. [Oyster River Cooperative School District uses a Certificate of Completion as an Alternative Diploma.](#)

**B. INTRODUCTION.** Under ESSA, states may adopt alternate content standards and alternate assessments for students with the most significant cognitive disabilities. In states that have adopted such alternative content standards, ESSA allows local school boards to adopt policies allowing certain students with significant cognitive disabilities the ability to earn an Alternate Diploma based on the alternative content standards.

An Alternate Diploma provides students who may have ordinarily earned certificates of attendance, or completion under New Hampshire Administrative Rule Ed. 306.27(q), with the option to earn a diploma.

New Hampshire has adopted Dynamic Learning Maps (DLM) as an alternate assessment tool. The DLM assessment measures yearly student progress and provides independent standards which align with the NH Statewide Assessment.

Accordingly, this policy authorizes the Oyster River Cooperative School District to award an Alternate Diploma in accordance with the below requirements and conditions.

### **C. ELIGIBILITY.**

Consistent with ESSA, the Alternate Diploma may be awarded to students who:

1. Have significant cognitive disabilities;
2. Have a current Individualized Education Program ("IEP"); and
3. Participate in the state authorized alternate assessment (currently DLM).

The Alternate Diploma is NOT available to students without IEP's, including students with Section 504 plans.

### **D. DETERMINATION OF AWARD.**

The determination to award an Alternate Diploma is the responsibility of the student's IEP team, including the student's parent(s)/guardian(s). The IEP team's consideration of the appropriateness of an Alternate Diploma should be included in transition planning beginning at age sixteen (16). Details of this decision shall be included in the student's IEP transition plan in accordance with Ed. 1109.03.

### **E. TIME OF ~~RECOGNITION~~ and AWARD.**

[The student may choose \(individually or through the IEP team\) to receive the Alternative Diploma at one \(1\) of three \(3\) times:](#)

- ~~1. Recognition a~~At graduation with common age peers;
- ~~2. Award a~~At the conclusion of the student's IEP; or
- ~~3. Award u~~Upon reaching age twenty-~~one~~-two (~~21-22~~).

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: IKFC
Revised Draft to Policy Committee: November 7, 2018 School Board First Read: November 14, 2018 School Board Second Read/Adoption: December 5, 2018 <a href="#">Policy Committee Review: December 8, 2022</a> <a href="#">School Board First Read: December 21, 2022</a> <a href="#">School Board Second Read/Adoption: January 4, 2023</a>	Page 2 of 2 Category: Recommended

If the student participates in the traditional graduation ceremony, the student will be included in the graduation program with no difference in listing from ~~his/her~~ their peers awarded a regular diploma.

**F. EFFECT OF AWARD AND CONTINUED ELIGIBILITY.**

1. Under 34 CFR 300.102 (a)(3), the awarding of any document other than regular high school diploma shall not terminate a child's eligibility for a free and appropriate public education ("FAPE"). Accordingly, earning an Alternate Diploma does not end a student's eligibility for special education services. Rather, students who have earned the Alternate Diploma, and are otherwise eligible for special education services, may continue to receive such services and may continue working towards meeting the requirements for the regular high school diploma.
2. Alternate Diplomas awarded under this policy are counted in the state graduation rate, while certificates of attendance or equivalency are not. The Oyster River School District counts them as a completer.

**G. IMPLEMENTATION.**

The Superintendent, with the assistance of the Director of ~~Special Student~~ Services is directed to establish and make procedures available ~~procedures and administrative rules~~ to implement this policy.

Cross Reference:

- IHBA – Programs for Pupils with Disabilities
- IHBI – Alternative Learning Plans
- IKF - Graduation

***Legal References:***

- 20 U.S.C. §7801 (23) - Every Student Succeeds Act (§ 8101(a)(23))
- 34 CFR 300.102 (a)(3); 300.43; and 300.320(b)
- RSA 193-E - Adequate Public Education
- Ed 306.27(q)(4)- Minimum Standards/High School Requirements/Equivalency Diplomas
- Ed 1109.03- When and IEP is in Effect...Transition Services

<b>OYSTER RIVER COOPERATIVE SCHOOL BOARD</b>	<b>Policy Code: JICK</b>
Policy Committee Review: November 8, 2017 School Board First Read: November 15, 2017 School Board Second Read/Adoption: December 6, 2017 <a href="#">Policy Committee Review: December 8, 2022</a> <a href="#">School Board First Read: December 21, 2022</a> <a href="#">School Board Second Read/Adoption: January 4, 2023</a>	Page 1 of 6 Category: Priority

**BULLYING AND CYBERBULLYING**  
**PUPIL SAFETY AND VIOLENCE PREVENTION**

**I. GENERAL STATEMENT OF POLICY**

It is the policy of the Oyster River Cooperative School District that its students have an educational setting that is safe, secure, peaceful, and free from student harassment, also known as bullying or cyberbullying. The School District will not tolerate unlawful harassment of any type and conduct that constitutes bullying or cyberbullying as defined herein is prohibited. Retaliation or false accusations against a victim, witness, or anyone else who in good faith provides information about an act of bullying or cyberbullying is prohibited. All students are protected regardless of their status under the law. Any person violating this Policy may be subject to disciplinary action up to and including expulsion. Each building Principal is responsible for the implementation of this Policy.

**II. BULLYING AND CYBERBULLYING DEFINED**

1. "Bullying" is a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another student which:
  - (a) physically harms a student or damages the student's property;
  - (b) causes emotional distress to a student. For the purposes of this policy, the term "emotional distress" means distress that impairs the student's participation in academic or other school-sponsored activities. The term "emotional distress" does not include the unpleasantness or discomfort that accompanies an unpopular viewpoint;
  - (c) interferes with a student's educational opportunities;
  - (d) creates a hostile educational environment; or
  - (e) substantially disrupts the orderly operation of the school.

"Bullying" includes actions motivated by an imbalance of power based on a student's actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the student's association with another person and based on the other person's characteristics, behaviors, or beliefs.

2. "Cyberbullying" is any conduct defined in paragraph 1 of this Section undertaken through the use of electronic devices which include, but are not limited to, telephones, cellular phones, computers, pagers, electronic mail, instant messaging, text messaging, and websites. Cyberbullying includes, but is not limited to, the following actions: harassing, teasing, intimidation, threatening, stalking or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures or images, or web site postings, including blogs or other use of technology.
3. Bullying or cyberbullying occurs when an action or communication defined in paragraphs 1 or 2 of this Section:
  - (a) occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or
  - (b) occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a student's educational opportunities or substantially disrupts the orderly operations of the school or school sponsored activity or event.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JICK
Policy Committee Review: November 8, 2017 School Board First Read: November 15, 2017 School Board Second Read/Adoption: December 6, 2017 <a href="#">Policy Committee Review: December 8, 2022</a> <a href="#">School Board First Read: December 21, 2022</a> <a href="#">School Board Second Read/Adoption: January 4, 2023</a>	Page 2 of 6 Category: Priority

4. "Parent" means parent, parents, or legal guardians.
5. "Perpetrator" is a student who engages in bullying or cyberbullying.
6. "School property" is all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.
7. "Victim" is a student against whom bullying, or cyberbullying has been perpetrated.
8. Bullying in violation of this Policy need not rise to the level of unlawful harassment under Title IX of the Education Acts of 1972, the Americans With Disabilities Act, Title VI, or the Rehabilitation Act of 1974.

### III. REPORTING PROCEDURE

1. Any student who believes [he/she/they](#) has/a been a victim of bullying or cyberbullying shall report the alleged act to the building Principal. If a student is more comfortable reporting the alleged act to a person other than the building Principal, the student may contact any School District employee. The School District will respect the confidentiality of the victim and the perpetrator(s) as much as possible, consistent with the School District's legal obligations and the necessity to investigate allegations of alleged bullying and cyberbullying and to take appropriate remedial disciplinary action when such conduct has been substantiated. However, no disciplinary action can be taken against a perpetrator solely on the basis of a confidential report.
2. Any school employee, volunteer, or employee of a company under contract with the school or School District, who has witnessed or has reliable information that a student has been subjected to bullying or cyberbullying shall report the incident to the student's Principal. "Reliable information" shall include a parent's or student's claim that a student is the victim of bullying or cyberbullying.
3. All reports must be documented on the School District's Bullying/Cyberbullying Reporting Form. The victim or reporter shall provide copies of documents relating to the bullying or cyberbullying and/or save those documents so that the documents can be provided to the investigator. If a victim or reporter is either unwilling or unable to complete the School District's Bullying/Cyberbullying Reporting Form, the school employee who receives the oral report will promptly fill out the School District's Bullying/Cyberbullying Reporting Form, using, to the extent practicable, the reporter's or victim's own words to describe the alleged bullying or cyberbullying.
4. Upon receipt of a report of bullying or cyberbullying, the Principal shall within twenty-four (24) hours forward a written report to the Superintendent of the incident and the Principal or [his/her/their](#) designee's response to the initial report.
5. The Principal shall by telephone and in writing by first-class mail, notify the parent of the victim and perpetrator within forty-eight (48) hours of receiving the School District's Bullying/Cyberbullying Reporting Form that a report of alleged bullying or cyberbullying was received and is being investigated in accordance with this Policy. The content of the notice shall comply with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g.



OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: JICK
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6. The Superintendent may, within the forty-eight (48) hour time period in paragraph 5 of this Section, grant the Principal a written waiver from the notification requirement if the Superintendent deems such waiver to be in the best interest of the victim or perpetrator. The waiver shall not negate the school's responsibilities to comply with the remainder of this Policy.
7. The Principal or ~~his/her~~ their designee shall notify the Superintendent of all substantiated instances of bullying or cyberbullying. Reporting of individual cases of bullying and cyberbullying to the School Board will be at the discretion of the Superintendent. ~~shall report to the School Board all substantiated instances of bullying and cyberbullying.~~
8. Within ten (10) school days of completion of the investigation, the Principal shall notify the parents of the victim and perpetrator of the school's remedial action. In accordance with FERPA, the School District may not disclose to the parents of victims the educational records of perpetrators which include but are not limited to the discipline and remedial action assigned to the perpetrators.

#### IV. INVESTIGATION AND REMEDIAL ACTION

1. The Principal or ~~his/her~~ their designee shall begin an investigation of the alleged acts of bullying or cyberbullying within five (5) school days of receiving the School District's Bullying/Cyberbullying Reporting Form. The goal of an investigation is to obtain an accurate and complete account of all incidents and circumstances deemed relevant to the allegations, to determine whether bullying or cyberbullying occurred, and to identify the student(s) responsible for the acts. These procedures are intended to protect the rights of a victim and perpetrator.
  - (a) The alleged perpetrator(s) will be provided the opportunity to be heard as part of the investigation.
  - (b) Privacy rights of all parties shall be maintained in accordance with applicable laws.
  - (c) The building principal/assistant principal shall keep a written record of the investigation process.
  - (d) The building principal/assistant principal may take interim remedial measures to reduce the risk of further bullying/cyberbullying, retaliation and/or to provide assistance to the alleged victim while the investigation is pending.
  - (e) The building principal/assistant principal shall consult with the Superintendent as appropriate concerning the investigation and any remedial measures or assistance provided.
  - (f) Consistent with applicable law, students may not be required to disclose or provide to the District the student's user name, password or other authenticating information to a student's personal social media account. However, District investigators may request a student or a student's parent/guardian voluntarily share printed copies of specific information from a student's personal social media account if such information is relevant to an ongoing investigation.
2. The Principal or ~~his/her~~ designee will complete the investigation within seven (7) school days after they ~~Principal receives the School District's Bullying/Cyberbullying Reporting Form,~~ receive verbal or written notification, except in cases where the Superintendent grants a written extension. The Superintendent, if necessary, may grant an extension of the time period for the completion of the investigation for up to an additional seven (7) school days. The Superintendent Principal or designee shall notify all parties in writing of the granting of an extension. The Principal or his/her designee will expedite the investigation of any claim involving physical violence or serious threats of harm.



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Policy Committee Review: November 8, 2017 School Board First Read: November 15, 2017 School Board Second Read/Adoption: December 6, 2017 <a href="#">Policy Committee Review: December 8, 2022</a> <a href="#">School Board First Read: December 21, 2022</a> <a href="#">School Board Second Read/Adoption: January 4, 2023</a>	Page 4 of 6 Category: Priority

3. To end bullying or cyberbullying and prevent its recurrence, the Principal or ~~his/her~~ designee will take such disciplinary action deemed necessary and appropriate, including but not limited to detention, in-house suspension, out-of-school suspension or referral to the Superintendent to consider long-term suspension or expulsion, and/or referral to law enforcement. Any discipline imposed will be in accordance with and consistent with the School Board's policies on student discipline.
4. Administrators have the discretion within the requirements of district policies on student discipline, to determine appropriate disciplinary consequences and/or interventions for violations of this policy based upon the relevant facts and circumstances in a particular case, including but not limited to the age and maturity of the students involved; the type and frequency of the behavior; a student's willingness to cooperate in the investigation and correct behavior; and the student's prior disciplinary record.
5. Besides initiating disciplinary action, the Principal or ~~his/her~~ designee may also take other remedial action deemed necessary and appropriate to end bullying or cyberbullying and prevent its recurrence including but not limited to requiring participation in peer mentoring, or other life skills groups; reassigning student's classes, lunch periods or transportation; and/or offering appropriate assistance to the victim or perpetrator.
6. At the time a bullying or cyberbullying report is made, the Principal or ~~his/her~~ their designee in consultation with the Superintendent, shall develop a strategy to protect all students from any kind of retaliation.
7. The Principal or ~~his/her~~ designee must document ~~his/her~~ their investigation results in a written report. The investigation report shall include documentation of the statements/interviews of the victim, perpetrator, and witnesses. Copies of any documents or other evidence (e.g., electronic communications) obtained during the investigation shall be attached to the report. The Principal or ~~his/her~~ designee's investigation report shall also include the Principal or ~~his/her~~ designee's findings of whether the report of bullying or cyberbullying was substantiated and the reasons why the report was or was not substantiated. If the report is substantiated, the Principal or ~~his/her~~ designee shall include in the investigation report recommendations for remediating the bullying or cyberbullying and shall, when appropriate, recommend a strategy to protect students from retaliation. If the report is not substantiated as bullying or cyberbullying but the conduct violates school rules or policies, the Principal or ~~his/her~~ designee shall specify the school rules or policies violated and make appropriate recommendations to address the violations.
- ~~8. Since bullying or cyberbullying may begin again after several weeks or months have lapsed, the perpetrator in substantiated cases should be closely supervised. The victim should be encouraged to report any new problems to the Principal or his/her designee. The Principal or his/her designee should interview the victim regularly to make sure that there is no recurrence of bullying, cyberbullying, or retaliation. The Principal or his/her designee shall document all follow-up with the victim.~~

## V. FILE RETENTION

The Principal will maintain in a separate confidential file the original completed School District's Bullying/Cyberbullying Reporting Form, investigatory interview notes and reports, findings made, the investigation report, including any decision for action, and other relevant investigatory materials, and maintain a copy of the file in the perpetrator's education record. The Principal shall also provide a copy of the file to the Superintendent or designee.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	<u>Policy Code: JICK</u>
Policy Committee Review: November 8, 2017 School Board First Read: November 15, 2017 School Board Second Read/Adoption: December 6, 2017 <a href="#">Policy Committee Review: December 8, 2022</a> <a href="#">School Board First Read: December 21, 2022</a> <a href="#">School Board Second Read/Adoption: January 4, 2023</a>	Page 5 of 6 Category: Priority

## VI. APPEAL

- ~~1. For non-disciplinary remedial actions where no other review procedures govern, the parents of the perpetrator and victim shall have the right to appeal the Principal or his/her designee's decision regarding their student to the Superintendent in writing within five (5) school days. The Superintendent shall review the Principal or his/her designee's decision and issue a written decision within ten (10) school days. If the aggrieved party is still not satisfied with the outcome, then the aggrieved party may file a written request for review by the School Board within ten (10) school days of the Superintendent's decision. The appeal shall state in writing why the appealing party is aggrieved, and the specific relief they are requesting.~~

The procedures in RSA 193:13, Ed 317, and the School District's discipline policies establish the due process and appeal rights for students disciplined for acts of bullying, cyberbullying, or retaliation.

## VII. RETALIATION OR FALSE ACCUSATIONS

No person shall retaliate or make false accusations against a victim, witness, or anyone else who in good faith provides information about an act of bullying or cyberbullying. The School District will discipline any individual who retaliates or makes a false accusation or encourages others to retaliate or make a false accusation against a victim, witness, or anyone else who in good faith provides information, testifies, assists, or participates in an investigation, proceeding or hearing relating to an act of bullying or cyberbullying.

If a complaint or report is not made in good faith, the School District will take such disciplinary action deemed necessary and appropriate including but not limited to suspension, expulsion, or dismissal.

## VIII. POLICY NOTIFICATION/DISSEMINATION

- Copies of this Policy shall be given to all employees, students and parents annually by publishing in the applicable handbook. Whenever new School District employees or students begin during the school year, they shall receive a copy of the appropriate handbook before commencing work or school attendance. The Superintendent or ~~his/her~~ designee shall also make all volunteers, and contractors who have contact with students and chartered public schools aware of this Policy.
- The School District will post this Policy and a summary of the Policy on the School District's website and conspicuously in each school building in areas easily accessible to students and staff.

## IX. TRAINING OF STAFF AND EDUCATING PARENTS AND STUDENTS

- The School Administration shall develop age-appropriate methods of discussing the meaning, substance, and application of this Policy with parents and students in order to minimize the occurrence of bullying and cyberbullying and to identify, respond to, and report incidents of bullying or cyberbullying. In support of this policy, the Board promotes preventative educational measures to promote greater awareness of aggressive behavior, including bullying.
- The School Administration shall provide training annually for employees, school volunteers, and contractors who have contact with students for the purpose of preventing, identifying, responding to, reporting incidents of bullying or cyberbullying, and implementing this Policy.

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Policy Committee Review: November 8, 2017 School Board First Read: November 15, 2017 School Board Second Read/Adoption: December 6, 2017 <a href="#">Policy Committee Review: December 8, 2022</a> <a href="#">School Board First Read: December 21, 2022</a> <a href="#">School Board Second Read/Adoption: January 4, 2023</a>	Page 6 of 6 Category: Priority

X. RECORDINGS IN STUDENT DISCIPLINE MATTERS

1. ~~Recordings on School Buses. Pursuant to RSA 570-A:2, notice is hereby given that the School Board authorizes audio recordings to be made in conjunction with video recordings of the interior of school buses while students are being transported to and from school or school activities. A sign informing the occupants of school buses that such recordings may occur shall be posted on all buses.~~

Use of Recordings. The District reserves the right to use audio/video ~~on buses and video~~ recording devices on District property to ensure the health, safety and welfare of all staff, students and visitors. Placement and location of such devices will be established ~~in accordance with the provisions of Policy ECAF.~~ by the District

~~In the event a recording is used as part of a student discipline proceeding, such recording may become part of a student's education record. If a recording does become part of a student's educational record, the provisions of Policy JRA shall apply.~~

~~The Superintendent is authorized to contact the District's attorney for a full legal opinion in the event of such an occurrence.~~

XI. BULLYING AS ABUSE AND CRIMINAL CONDUCT

~~Under certain circumstances (e.g., physical harm/touching, or damage to property) bullying or cyberbullying may constitute a violation of the Safe School Zones Act or abuse under RSA 169-C, the Child Abuse Reporting Act. In such situations, employees, volunteers and contractors shall comply with provisions of the School District's Policy concerning the Safe School Zones Act and the law which in part requires reporting to the Principal and requires the Principal to file a written report with the police within 48 hours and to notify the victim's parents/guardian that a report has been filed.~~

XII. SEXUAL HARASSMENT

~~Bullying or cyberbullying may constitute sexual harassment in which case it shall be subject to and be handled in accordance with the School District's Sexual Harassment and Sexual Violence Policy, not this Policy.~~

XIII. ANNUAL REPORT

The Superintendent shall prepare and submit an annual report of substantiated bullying/cyberbullying incidents on the form provided by the New Hampshire Department of Education. Such reports shall not contain personally identifiable information regarding students.

XIV. IMMUNITY

~~A School Administrative Unit employee, School District employee, school volunteer, student, parent, legal guardian, or employee of a company under contract to the School District, School Administrative Unit, or chartered public school, shall be immune from civil liability for good faith conduct arising from or pertaining to the reporting, investigation, findings, recommended response, or implementation of a recommended response under RSA 193-F.~~

Cross Reference: JRB: Confidential Student Information

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: IHBA
Date of Adoption: <del>August 17, 1988</del> Date of Revision: <del>May 1, 1996</del> Title/Code Change <del>Second Read School Board May 2, 2012</del> Previously: <del>IGBA</del> <a href="#">Policy Committee for Replacement by NHSBA Version</a> <a href="#">12/08/22 School Board for Deletion: 12/21/22 &amp; 1/4/23</a>	Page 1 of 1

*~~PROGRAMS FOR PUPILS WITH DISABILITIES~~*

~~The Board believes all special needs students may benefit from receiving a free and appropriate public education according to the instructional needs of each student. In compliance with applicable federal and state laws, it shall be the policy of the board of education to provide all special needs students between the ages of 3 and 21 a free and appropriate education.~~

~~Special needs students are those who, because of certain atypical characteristics, have been identified by professionally qualified personnel as requiring special education planning and services. Such students will be identified on the basis of a physical, healthy or sensory disability, emotional disability, or behavioral problem, or observable exceptionality in mental ability, such as mentally retarded. Some special needs students may have more than one type of disability.~~

~~Students who are determined through professionally administered tests to have special needs will be eligible for due process with regard to identification, evaluation, and placement procedures. A written individualized educational program will be developed for each student with special educational needs. Educational placement decisions for each special needs student will place the student in the least restrictive environment appropriate to the student's learning needs whenever possible. Each special needs student's learning will be reviewed periodically for evaluation and reestablishment of the educational plan, if necessary. Graduation requirement for special needs students shall be determined according to the special needs student's completion of the individual program.~~

~~The facilities in which special education programs are provided will maximize the integration of special needs students into the life of the school and minimize the separation of such students. Students with limited mobility should have access to those areas of school facilities where they can be educated in the least restrictive setting. Provisions will be made for equipment and physical adaptations in public school facilities, where necessary, to comply with appropriate laws.~~

~~When required by the individual education plan, transportation arrangements for transportation of a special needs student to and from the educational facility will be provided in regular vehicles or, if necessary, specially adapted vehicles. When applicable, parents shall be responsible for getting the special needs students to the vehicles at curbside or driveway. However, parents may provide transportation for their own students to and from the educational facility.~~

~~Personnel who may be required to work with special needs students will be provided direct inservice training by the appropriate curriculum and instruction staff. Agents or employees of the board are responsible for locating students who may be in need of special educational services.~~

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: ACE Category: Required
Review/First Read School Board: December 5, 2012 Second Read/Adoption: December 19, 2012 <a href="#">School Board For Deletion: December 21, 2022 &amp; 1/4/23</a>	Page 1 of 1 <a href="#">Replaced by Policy ACAA</a>

## ~~NON-DISCRIMINATION ON THE BASIS OF HANDICAP/DISABILITY~~

~~The Oyster River Cooperative School District provides the following Notice of Procedural Safeguards to parents/guardians and handicapped persons, as required by 34 C.F.R. Sections 104.7, 104.8, 104.22(4)(f), and 104.36 of the Regulations implementing Section 504 of The Rehabilitation Act of 1973.~~

~~The District does not discriminate on the basis of disability in admission or access to, or treatment of or employment in, its programs and activities.~~

~~The District provides a grievance process with appropriate due process rights. The Superintendent and/or his designee is charged with coordinating efforts to comply with Section 504. The parent/guardian of handicapped students or any handicapped person may use the grievance process established by the Board.~~

### ~~Grievance Process~~

~~Parents/guardians of a student with a disability have the right to notify the above-designated employee with their complaint. — Additionally, any disabled individual also has the right to notify the above-designated employee with their complaint.~~

~~The designated employee will provide an initial response within ten (10) days of receipt of the complaint. The parties will attempt to work out their differences informally in a prompt and equitable manner. A written record of the complaint resolution should be made within ten (10) working days of completion. Both parties will receive a copy of the written record. Additionally, the Superintendent will keep a copy on file.~~

~~If the issue is not resolved after the informal resolution process, the complainant may request that the Board places this matter on its agenda. This request may be made through the Superintendent.~~

~~If the Board schedules the matter for a hearing, the complainant may be represented by any person the complainant chooses, including legal counsel. The complainant may present information through documents and other evidence and witnesses, and may examine witnesses presented by the School District.~~

~~Within ten (10) working days of either of the above options, a written record should be made of the decision. Both parties will receive a copy of the written record. Additionally, the Superintendent will keep a copy on file.~~

### ~~Procedural Safeguards~~

~~As required by 34 C.F.R. Section 104.36, parents/guardians of a student who needs or is believed to need special instruction and related services have the right, with respect to any action regarding identification, evaluation, and placement to:~~

- ~~1. — Notice of referral/identification, evaluation, and placement process, with appropriate — consent form.~~
- ~~2. — Examine all relevant records.~~
- ~~3. — An impartial hearing, at any time, with respect to any actions regarding identification, — evaluation, or placement of persons who need or are believed to need special education — and related services; an opportunity for participation by the parent/guardian and — representation of counsel as provided under the Individuals with Disabilities Education — Act.~~
- ~~4. — A process for reviewing complaints raised under these Procedural Safeguards. Such — review process need not be formal.~~

### ~~Legal References:~~

~~34 C.F.R. Part 104, Nondiscrimination on the Basis of Handicap  
Section 504 of The Rehabilitation Act of 1973~~

<b>OYSTER RIVER COOPERATIVE SCHOOL BOARD</b>	Policy Code: ACAA
Date of Adoption: February 13, 2008 Revised: March 18, 2009 Code and Title Change-Adopted School Board: May 2, 2012 Policy Committee Review: July 9 & July 23 School Board First Read: August 19, 2020 School Board Second Read/Adoption: September 2, 2020	Page 1 of 2

## **HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS**

Harassment of Oyster River students because of age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion or economic status is prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.

School employees, fellow students, volunteers, visitors to the schools, and other persons with whom students may interact in order to pursue or engage in education programs and activities, are required to refrain from such conduct.

Harassment and sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment and sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for harassment of students by persons other than school employees and students.

### **A. Harassment**

Harassment includes, but is not limited to, verbal abuse and other offensive conduct based on of age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion or economic status. Harassment that rises to the level of physical assault, battery and/or abuse and bullying behavior are also addressed Board Policies JICIA – Weapons, Violence and School Safety and JICK – Bullying.

### **B. Sexual Harassment**

Sexual harassment is addressed under federal and state laws/regulations. The scope and definitions of sexual harassment under these laws differ, as described below.

#### **1. Title IX Sexual Harassment**

Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school district’s education programs and activities:

- a. “Quid pro quo” sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual’s participation in unwelcome sexual conduct;
- b. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive *and* objectively offensive that it effectively denies an individual’s equal access to the school unit’s education programs and activities; or
- c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.

#### **2. Other Forms of Sexual Harassment**

Some forms of sexual harassment may not meet the definition under Title IX (see paragraph 1, above) but is still prohibited under New Hampshire law.

<b>OYSTER RIVER COOPERATIVE SCHOOL BOARD</b>	Policy Code: ACAA
Date of Adoption: February 13, 2008 Revised: March 18, 2009 Code and Title Change-Adopted School Board: May 2, 2012 Policy Committee Review: July 9 & July 23 School Board First Read: August 19, 2020 School Board Second Read/Adoption: September 2, 2020	Page 2 of 2

The District defines non-Title IX “sexual harassment” as unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student’s educational benefits;
- b. Submission to or rejection of such conduct by a student is used as the basis for decisions affecting a student’s educational benefits; or
- c. Such conduct has the purpose and effect of substantially interfering with a student’s academic performance or creates an intimidating, hostile or offensive educational environment.

**C. Reports and Complaints of Harassment or Sexual Harassment**

All school employees are required to report possible incidents of harassment or sexual harassment involving students to the Title IX Coordinator. Failure to report such incidents may result in disciplinary action.

Students, parents/legal guardians and other individuals are strongly encouraged to report possible incidents of harassment or sexual harassment involving students to the Title IX Coordinator. The Title IX Coordinator is also available to answer questions and provide assistance to any individual who is unsure whether harassment or sexual harassment has occurred.

All reports and complaints of harassment or sexual harassment against students shall be addressed through the Student Unlawful Discrimination/Harassment and Title IX Sexual Harassment Procedures (ACAA-R).

Legal Reference: Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)  
Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)  
Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106  
Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)  
Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault;  
34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking;  
34 U.S.C. §12291(a)(8) – definition of domestic violence)  
Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)  
NH RSA 186:11; 193:38; 193:39; 354-A  
NH Code Admin. R. Ed. 303.01(i) and (j)

Cross Reference: ACAA-R/JBAA-R – Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures  
AC – Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAD – Hazing  
GBEB – Staff Conduct with Students  
JFCK – Student Use of Cellular Telephones and Other Electronic Devices  
JICIA – Weapons, Violence and School Safety  
JICK - Bullying



**OYSTER RIVER COOPERATIVE SCHOOL DISTRICT THE STATE  
OF NEW HAMPSHIRE  
2023  
SCHOOL WARRANT**

To the Inhabitants of the Oyster River Cooperative School District of Durham, Lee, and Madbury qualified to vote upon District affairs:

You are hereby notified to meet at the Oyster River Middle School in said district on the 7<sup>th</sup> day of February 2023, at 7:00 o'clock in the evening for Session I of the Annual School District Meeting for discussion of Articles 3 and 4 and for any amendments thereto. Warrant articles whose wording is prescribed by law shall not be amended and no warrant article shall be amended to eliminate the subject matter of the article at Session I.

Official ballot voting for school district officers (articles 1 and 2) and on articles 3 and 4 will occur at town polling locations on Tuesday, March 14, 2023:

Town of Durham	Oyster River High School	7:00 am to 7:00 pm
Town of Lee	Lee Public Safety Complex	7:00 am to 7:00 pm
Town of Madbury	Madbury Town Hall	11:00 am to 7:00 pm

ARTICLE 1: To choose a Moderator for the coming year.

ARTICLE 2: To choose two At-Large School Board members for the ensuing three years and one Durham School Board member for one year.

ARTICLE 3: Shall the District raise and appropriate as an operating budget, not including appropriations by special warrant article and other appropriations voted separately, the amount set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$53,211,098. Should this article be defeated, the operating budget shall be \$52,953,910 (Default Budget) which is the same as last year with certain adjustments required by previous action of the District or by law; or the District may hold one special meeting in accordance with RSA 40:13, X, and XVI to take up the issue of the revised operating budget only. *The School Board recommends this appropriation. (Majority vote required)*

Note:

Fund 10 = \$51,679,884(regular operating budget); Fund 21 = \$890,214 (expenditures from food service revenues); Fund 22 = \$600,000 (expenditures from federal/special revenues); Fund 23 = \$41,000 (expenditures from pass through funds).

ARTICLE 4: Shall the District vote to raise and appropriate the sum of \$125,000 to be added to the Facilities Development, Maintenance, and Replacement Trust which was established in March of 2017. This sum to come from June 30 fund balance available for transfer on July 1. *The School Board recommends this appropriation. (Majority vote required)* No amounts to be raised from taxation.

Given under our hands at said Durham NH this \_\_\_\_ day of January 2023:

\_\_\_\_\_  
Michael Williams, Chairperson

\_\_\_\_\_  
Denise Day, Vice-chair

\_\_\_\_\_  
Brian Cisneros

\_\_\_\_\_  
Daniel Klein

\_\_\_\_\_  
Yusi Turell

\_\_\_\_\_  
Heather Smith

\_\_\_\_\_  
Matthew Bacon





Default Budget of the Regional School  
Oyster River

For the period beginning July 1, 2023 and ending June 30, 2024

RSA 40:13, IX (b) "Default budget" as used in this subdivision means the amount of the same appropriations as contained in the operating budget authorized for the previous year, reduced and increased, as the case may be, by debt service, contracts, and other obligations previously incurred or mandated by law, and reduced by one-time expenditures contained in the operating budget. For the purposes of this paragraph, one-time expenditures shall be appropriations not likely to recur in the succeeding budget, as determined by the governing body, unless the provisions of RSA 40:14-b are adopted, of the local political subdivision.

This form was posted with the warrant on: \_\_\_\_\_

SCHOOL BOARD OR BUDGET COMMITTEE CERTIFICATION

Under penalties of perjury, I declare that I have examined the information contained in this form and to the best of my belief it is true, correct and complete.

Name	Position	Signature
Michael Williams	Board Chair	
Denise Day	Board Vice-Chair	
Brian Cisneros	Board Member	
Daniel Klein	Board Member	
Yusi Turell	Board Member	
Heather Smith	Board Member	
Matthew Bacon	Board Member	

This form must be signed, scanned, and uploaded to the Municipal Tax Rate Setting Portal:  
<https://www.proptax.org/>

For assistance please contact:  
NH DRA Municipal and Property Division  
(603) 230-5090  
<http://www.revenue.nh.gov/mun-prop/>



Appropriations

Account	Purpose	Adopted Budget	Reductions or Increases	One-Time Appropriations	Default Budget
<b>Instruction</b>					
1100-1199	Regular Programs	\$21,016,045	\$356,204	\$0	\$21,372,249
1200-1299	Special Programs	\$7,151,823	\$161,495	\$0	\$7,313,318
1300-1399	Vocational Programs	\$70,000	\$0	\$0	\$70,000
1400-1499	Other Programs	\$801,887	\$29,235	\$0	\$831,122
1500-1599	Non-Public Programs	\$0	\$0	\$0	\$0
1600-1699	Adult/Continuing Education Programs	\$0	\$0	\$0	\$0
1700-1799	Community/Junior College Education Programs	\$0	\$0	\$0	\$0
1800-1899	Community Service Programs	\$0	\$0	\$0	\$0
<b>Instruction Subtotal</b>		<b>\$29,039,755</b>	<b>\$546,934</b>	<b>\$0</b>	<b>\$29,586,689</b>
<b>Support Services</b>					
2000-2199	Student Support Services	\$4,825,086	\$359,147	\$0	\$5,184,233
2200-2299	Instructional Staff Services	\$1,034,269	(\$4,786)	\$0	\$1,029,483
<b>Support Services Subtotal</b>		<b>\$5,859,355</b>	<b>\$354,361</b>	<b>\$0</b>	<b>\$6,213,716</b>
<b>General Administration</b>					
2310 (840)	School Board Contingency	\$0	\$0	\$0	\$0
2310-2319	Other School Board	\$196,837	\$20	\$0	\$196,857
<b>General Administration Subtotal</b>		<b>\$196,837</b>	<b>\$20</b>	<b>\$0</b>	<b>\$196,857</b>
<b>Executive Administration</b>					
2320 (310)	SAU Management Services	\$0	\$0	\$0	\$0
2320-2399	All Other Administration	\$1,509,042	(\$2,324)	\$0	\$1,506,718
2400-2499	School Administration Service	\$2,119,127	\$2,237	\$0	\$2,121,364
2500-2599	Business	\$627,511	\$7,771	\$0	\$635,282
2600-2699	Plant Operations and Maintenance	\$4,656,653	(\$61,936)	\$0	\$4,594,717
2700-2799	Student Transportation	\$2,252,002	\$35,653	\$0	\$2,287,655
2800-2999	Support Service, Central and Other	\$1,592,632	\$84,517	\$0	\$1,677,149
<b>Executive Administration Subtotal</b>		<b>\$12,756,967</b>	<b>\$65,918</b>	<b>\$0</b>	<b>\$12,822,885</b>
<b>Non-Instructional Services</b>					
3100	Food Service Operations	\$0	\$0	\$0	\$0
3200	Enterprise Operations	\$0	\$0	\$0	\$0
<b>Non-Instructional Services Subtotal</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Facilities Acquisition and Construction</b>					
4100	Site Acquisition	\$1	\$0	\$0	\$1
4200	Site Improvement	\$1	\$0	\$0	\$1
4300	Architectural/Engineering	\$1	\$0	\$0	\$1
4400	Educational Specification Development	\$1	\$0	\$0	\$1



**New Hampshire**  
 Department of  
 Revenue Administration

**2023**  
**MS-DSB**

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**Appropriations**

4500	Building Acquisition/Construction	\$1	\$0	\$0	\$1
4600	Building Improvement Services	\$418,852	\$0	\$0	\$418,852
4900	Other Facilities Acquisition and Construction	\$1	\$0	\$0	\$1
<b>Facilities Acquisition and Construction Subtotal</b>		<b>\$418,858</b>	<b>\$0</b>	<b>\$0</b>	<b>\$418,858</b>

**Other Outlays**

5110	Debt Service - Principal	\$1,170,000	(\$373,200)	\$0	\$796,800
5120	Debt Service - Interest	\$1,474,370	(\$43,438)	\$0	\$1,430,932
<b>Other Outlays Subtotal</b>		<b>\$2,644,370</b>	<b>(\$416,638)</b>	<b>\$0</b>	<b>\$2,227,732</b>

**Fund Transfers**

5220-5221	To Food Service	\$846,173	\$0	\$0	\$846,173
5222-5229	To Other Special Revenue	\$641,000	\$0	\$0	\$641,000
5230-5239	To Capital Projects	\$0	\$0	\$0	\$0
5251	To Capital Reserve Fund	\$0	\$0	\$0	\$0
5252	To Expendable Trusts/Fiduciary Funds	\$0	\$0	\$0	\$0
5253	To Non-Expendable Trust Funds	\$0	\$0	\$0	\$0
5254	To Agency Funds	\$0	\$0	\$0	\$0
5310	To Charter Schools	\$0	\$0	\$0	\$0
5390	To Other Agencies	\$0	\$0	\$0	\$0
9990	Supplemental Appropriation	\$0	\$0	\$0	\$0
9992	Deficit Appropriation	\$0	\$0	\$0	\$0
<b>Fund Transfers Subtotal</b>		<b>\$1,487,173</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,487,173</b>

<b>Total Operating Budget Appropriations</b>		<b>\$52,403,315</b>	<b>\$550,595</b>	<b>\$0</b>	<b>\$52,953,910</b>
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OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: CBI
Reviewed by Policy Committee: 1/29/14 previously CBG School Board First Read: March 5, 2014 School Board Second Read/Adoption: April 2, 2014	Page 1 of 1

## EVALUATION OF THE SUPERINTENDENT

The superintendent is the executive head of the public schools and shall be responsible for planning and administering their affairs to statutory requirements, the regulations of the State Board of Education, and the policies of the Oyster River Cooperative School District.

The superintendent shall develop and maintain a system of public schools capably staffed to provide quality education and supportive services. The superintendent shall provide, develop, and implement the procedures to achieve educational objectives with the administrative unit.

In performance of these duties, the superintendent shall be directly responsible to the Oyster River Cooperative School Board.

The school board shall evaluate the superintendent on an annual basis by February 15 utilizing the criteria established under CBI-R. The Board shall direct the superintendent to furnish a written self-assessment which addresses the performance areas as outlined in CBI-R in a timely manner.

Through evaluation of the superintendent, the board will strive to accomplish the following:

- Clarify for the superintendent his/her role in the school system as seen by the board.
- Clarify for all board members the role of the superintendent in the light of his/her job description and the immediate priorities among his/her responsibilities as agreed upon by the board and the superintendent.
- Develop harmonious working relationships between the board and superintendent.
- Provide effective administrative leadership for the school system.

The board will provide the superintendent with periodic opportunities to discuss superintendent/board relationships and will inform him/her at least annually of its assessment of his/her performance.

Cross Reference: CBI-R – Evaluation of the Superintendent - Procedure

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: CBI-R
Date: March 1, 1990 Date of Revision: May 20, 1998 Code Revision: November 18, 2009-previously CBG-R Reviewed by Policy Committee: August 7, 2013 - No Change	Page 1 of 3

## EVALUATION OF THE SUPERINTENDENT

The superintendent, in developing his/her self-assessment report, and each board member, in providing the chair with his/her assessment of the superintendent's performance, will use the following criteria:

### **PERFORMANCE AREAS**

#### Relationship with the Board

- Keeps the board informed consistently through oral and written communications on important issues and needs of the school district.
- Anticipates sensitive issues and acts proactively to minimize potential difficulties.
- Offers professional advice/recommendations on items requiring school board action or review.
- Feels free to openly express an opinion on a matter under discussion by the school board until a final decision has been reached; then implements the decision in a timely and effective manner regardless of any previously held view.
- Is knowledgeable of, adheres to, and enforces all policies and fulfills all directives of the Oyster River Cooperative School Board.
- Respects the school board's policy making authority and responsibility.
- Alerts board when new policies are needed or old policies need updating.
- Participates actively in the contract negotiations process.
- Deals with each board member equally and refrains from public criticism of board members.

#### Community Relations

- Keeps the community informed of school district plans, programs, and achievements.
- Demonstrates sensitivity and responsiveness to parental concerns
- Actively solicits participation by community members in the decision-making process whenever appropriate.
- Exhibits awareness of and responds to community concerns as they relate to the school district.
- Works effectively with news media.
- Accepts opportunities to attend or participate in community sponsored activities/organizations whenever possible while balancing other responsibilities or priorities.
- Fosters positive relationships and good communication with community leaders.

#### Staff/School Relations

- Develops sound personnel practices including, but not limited to, the assessment of staffing needs, nomination of best qualified candidates, assignment of staff, definition of duties, reviewing the evaluations of district staff, and evaluating central office administrative staff and building principals.
- Treats all personnel fairly and impartially while demanding high levels of performance.
- Adheres to all federal and state regulations that govern employment activities.
- Oversees a workable program for staff evaluation.

OYSTER RIVER COOPERATIVE SCHOOL BOARD	Policy Code: CBI-R
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### EVALUATION OF THE SUPERINTENDENT (continued)

- Organizes and promotes an effective program for professional growth.
- Delegates responsibility/work effectively.
- Establishes clear performance expectations to all with whom he/she works.
- Implements goal setting as a strategy to improving classroom performance.
- Deals with personnel issues impartially and objectively, within a timely manner.
- Keeps informed of current conditions and needs at each of the buildings through good communication with administrators.
- Maintains a high visibility within the schools' facilities.
- Promotes positive morale.
- Readily accepts and abides by the mandates of district employee contracts.

#### Educational Leadership

- Keeps focus of education on improving student learning.
- Exhibits genuine concern for student welfare and achievement.
- Presents, coordinates and evaluates an effective measurement process for student achievement.
- Possesses awareness of innovative methods for enhancing student achievement.
- Provides leadership in the study and development of curriculum options.
- Promotes and supports efforts to establish and improve K-12 curriculum development.
- Participates with staff, board, and community in the development of educational curriculum, priorities, and opportunities.
- Requires school programs and support services to reflect sound educational practices.
- Resists pressure to take actions contrary to the best interests of students.
- Accepts proposals for educational change from inside and outside the educational community.
- Keeps informed about current developments and research in education and student learning.
- Is knowledgeable of and adheres to all applicable state and federal laws/guidelines.

#### Fiscal Management

- Uses well designed, user friendly and effective budget reporting procedures.
- Develops and recommends the annual budget to the school board within stated school board objectives.
- Maximizes the use of all available resources.
- Monitors the ongoing physical/financial needs of the school system.
- Provides leadership in identifying, planning, and implementing capital improvements.
- Assures that school facilities are maintained in an optimal cost effective manner.
- Regularly provides financial reports to the school board.
- Oversees the district's equipment inventory and procurement process, ensuring that bid processes are consistent and cost efficient.
- Implements and adheres to the budget as directed by the school board.
- Administers expenditures consistent with appropriations.

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EVALUATION OF THE SUPERINTENDENT (continued)

Personal Qualities

- Is respected in the schools, community, and profession.
- Works well with others.
- Is suitably attired and well groomed.
- Communicates clearly and effectively.
- Is poised and effective in a crisis.
- Maintains good physical and mental health.

Goals and Objectives

- Assists the school board in the development of attainable goals and objectives.
- Develops effective programs/procedures to achieve both short and long term goals within established time frames.
- Monitors progress toward goals and informs school board.
- Establishes personal goals and monitors progress toward achievement.